

REMARKS

The Final Office Action mailed December 12, 2008, has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Rejection(s) Under 35 U.S.C. §102

Claims 65-71 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Fujita et al. (U.S. pat. no. 6,118,435). Applicants respectfully traverse.

Claim 65, from which the remaining claims depend, has been amended to state that the first piezoelectric actuator is directly connected to the touch screen. Prior to this amendment, the term “directly coupled” had been used instead of the current “directly connected.” The Office Action, under what Applicants consider an unreasonably broad interpretation of “directly coupled,” maintained that Fujita et al. read on this limitation. In the Response to Arguments section of the Office Action, a distinction appears to have been made between “direct connection” and “direct coupling.”¹ The instant amendment to claim 1, from “direct coupling” to “direct connection,” utilizes this conceded distinction to overcome Fujita et al. Accordingly, withdrawal of the 35 U.S.C. §102 rejection based on Fujita et al. et al is respectfully requested.

It will be appreciated that, according to the M.P.E.P., a claim is anticipated under 35 U.S.C. §102 only if each and every claim element is found, either expressly or inherently described, in a single prior art reference.² The aforementioned reasons clearly indicate the contrary, and withdrawal of the 35 U.S.C. §102 rejection based on Fujita et al. is respectfully urged.

Conclusion

In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

¹ Final Office Action mailed December 12, 2008, Item #2, last sentence.

² Manual of Patent Examining Procedure (MPEP) §2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-3557.

Respectfully submitted,
NIXON PEABODY LLP

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/Khaled Shami/
Khaled Shami
Reg. No. 38,745

NIXON PEABODY LLP
200 PAGE MILL ROAD
2ND FLOOR
PALO ALTO, CA
94306-2022
TEL. (650) 320-7700
FAX. (650) 320-7701